IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 6859 of 2005

Between:

Sai Baba Educational Society, (Reg.No. 129/91), Akkayapalli Village, Kadapa District, A.P. Rep. by its President M.V. Ramachandra Reddy.

... PETITIONER

AND

1 The Secretary, Indian Nursing Council, Temple Lane, Kotla Road, New Delhi.
2 The Government of Andhra Pradesh, Rep. by its Principal Secretary, Medical and Health , Secretariat, Hyderabad.
3 The Director of Medical Education, Government of Andhra Pradesh, Sultan Bazar, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, writ or direction more particularly in the nature of writ of mandamus declaring the action of the respondent in not issuing G.O. to establish College and School of Nursing to the Petitioner's society is illegal, arbitrary, and violation of the principles of natural justice and consequently direct the respondent to consider the representation
dt. 3-1-2005.

Counsel for the Petitioner: MR.VADDIPAMULETY

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court at the stage of admission made the following:

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ORDER:

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This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not issuing the orders in favour of the petitioner society to establish College and School of Nursing as arbitrary and illegal and consequently to direct the respondents to consider the representation dated 03-01-2005.

The petitioner-society, in pursuance of the notification issued by the Secretary, Indian Nursing Council, has submitted its application complying with all the requirements. In pursuance thereof, the second respondent-Principal Secretary, Medical and Health, which has inspected the petitioner's society, submitted its report and recommended to start College and School of Nursing. The only grievance of the petitioner is that the respondents have failed to take further steps on the basis of the said recommendation and no orders have been passed, so far. The petitioner has also made a representation dated 03-01-2005 requesting to take further steps on the basis of the recommendation made by the second respondent, however, the respondents have not taken any steps. Hence, this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Medical and Health appearing for the respondents.

Having regard to the facts and circumstances of the case and particularly in view of the fact that the case of the petitioner has been recommended by the second respondent-Principal Secretary, Medical and Health, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the representation of the petitioner dated 03-01-2005 and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four

weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 31-03-2005

LSK

ASSISTANT REGISTRAR

To

1. The Principal Secretary, Government of Andhra Pradesh,
   Medical and Health, Secretariat, Hyderabad.

2. The Director of Medical Education, Govt. of A.P., Sultan Bazar, Hyderabad.

Two C.Cs. to the Government Pleader for Medical and Health, High Court Buildings, Hyderabad. (OUT)

Two C.D. copies.